

IN RE: PETITION FOR ZONING VARIANCE
SE/S Richlyn Drive, 529' NE
of Forge Road
(9809 Richlyn Drive)
11th Election District
5th Councilmanic District
Dennis E. Webb, et ux
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 88-516-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit a minimum side yard setback of 9 feet in lieu of the required 10 feet and a sum of the side yard setbacks of 20 feet in lieu of the required 25 feet, as more particularly described on Petitioner's Exhibit 1.

The Petitioners appeared and testified. There were no Protes-

tants.
Testimony indicated that the subject property, known as 9809 Richlyn Drive, is zoned D.R. 3.5 and is currently improved with a single family dwelling. The Petitioners propose constructing an enclosed carport which must be screened in as Mrs. Webb is extremely allergic to insect stings. Testimony indicated that due to the layout of the property the proposed carport must be placed as shown on Petitioner's Exhibit 1. The Petitioners testified they discussed their plans with their neighbors who have no objection.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Deputy Zoning Commissioner the rel. of requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and, therefore, should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety,

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353

J. Robert Haines
Zoning Commissioner

Mr. & Mrs. Dennis E. Webb
9809 Richlyn Drive
Perry Hall, Maryland 21128

Re: Petition for Zoning Variance
CASE NUMBER: 88-516-A
SE/S Richlyn Drive, 529' NE Forge Road
(9809 Richlyn Drive)
11th Election District - 5th Councilmanic
Petitioner(s): Dennis E. Webb, et ux
HEARING SCHEDULED: THURSDAY, JUNE 30, 1988 at 9:00 a.m.

Dear Mr. & Mrs. Webb:
Please be advised that \$98.70 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post set(s) to the Zoning Office, County Office Building, Room 111, Towson, Maryland 21204 fifteen (15) minutes before your hearing is scheduled to begin.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 52656

DATE: 6/10/88 ACCOUNT: 01-615

AMOUNT: \$ 98.70

RECEIVED FROM: DENNIS E. WEBB

PAID TO: DENNIS E. WEBB

VALIDATION OR SIGNATURE OF CASHIER

and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 10th day of July, 1988 that the Petition for Zoning Variance to permit a minimum side yard setback of 9 feet in lieu of the required 10 feet and a sum of the side yard setbacks of 20 feet in lieu of the required 25 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restriction:

1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

AMN:bjs

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 1124 Date of Posting: 6/14/88
Posted for: Variance
Petitioner: Dennis E. Webb, et ux
Location of property: 9809 Richlyn Drive, 529' NE Forge Rd.
Location of Sign: 9809 Richlyn Drive, 529' NE Forge Rd.
Remarks: For property of P. Haines
Posted by: [Signature] Date of return: 6/17/88
Number of Signs: 1

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353

J. Robert Haines
Zoning Commissioner

May 3, 1988

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance
CASE NUMBER: 88-516-A
SE/S Richlyn Drive, 529' NE Forge Road
(9809 Richlyn Drive)
Petitioner(s): Dennis E. Webb, et ux
HEARING SCHEDULED: THURSDAY, JUNE 30, 1988 at 9:00 a.m.

Variance to permit a minimum side yard setback of 9 feet in lieu of the required 10 feet and a sum of the side yard setbacks of 20 feet in lieu of the required 25 feet.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES
Zoning Commissioner of
Baltimore County

cc: Petitioners
File

PETITION FOR ZONING VARIANCE TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 88-516-A

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1102.3.5 (208.31) To permit a minimum side yard setback of 9 feet in lieu of the required 10 feet and a sum of the side yard setbacks of 20 feet in lieu of the required 25 feet.

of the Zoning Regulations of Baltimore County to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)
It is desired to construct a carport. Since there is an existing concrete parking pad on the side of my house and the only first floor doorway (other than the front doorway) located on this same side of the house, there would be a practical difficulty in constructing a carport in any other location other than this side of the house. It is desired to screen in this carport as are most in the neighborhood. Mrs. Webb is highly allergic to insect stings and each subsequent stinging produces a more severe reaction. The screened carport will protect Mrs. Webb from a potentially life threatening situation.
Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: DENNIS E. WEBB, et ux
(Type or Print Name)
Signature: Dennis E. Webb
Address: THERESA C. WEBB
(Type or Print Name)
City and State: Perry Hall, MD 21128
Attorney for Petitioner: 9809 Richlyn Drive
(Type or Print Name)
Address: Perry Hall, MD 21128
City and State: Perry Hall, MD 21128
Name, address and phone number of legal owner, contract purchaser or representative to be contacted: 9809 Richlyn Drive, Perry Hall, MD 21128

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 50485

DATE: 6/10/88 ACCOUNT: 01-615

AMOUNT: \$ 98.70

RECEIVED FROM: THERESA C. WEBB

FOR: Filing Fee for Variance Case No. 88-516-A

VALIDATION OR SIGNATURE OF CASHIER

NOTICE OF HEARING
The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:
Petition for Zoning Variance
CASE NUMBER: 88-516-A
SE/S Richlyn Drive, 529' NE Forge Road
(9809 Richlyn Drive)
Petitioner(s): Dennis E. Webb, et ux
HEARING SCHEDULED: THURSDAY, JUNE 30, 1988 at 9:00 a.m.

POF 01050 REG# M14965 TO ADVERTISE PETITION FOR ZONING VARIANCE CASE NUMBER 88-516-A, SE/S RICHLYN DRIVE 529' NE FORGE ROAD, PERRY HALL, MD 21128. 5th COUNCILMANIC DISTRICT. HEARING SCHEDULED THURSDAY, JUNE 30 1988 at 9:00 am. 84 Lines at \$46.20

CERTIFICATE OF PUBLICATION
Office of
THE AVENUE NEWS

THIS IS TO CERTIFY, that the annexed advertisement of POF 01050 REG# M14965 TO ADVERTISE PETITION FOR ZONING VARIANCE CASE NUMBER 88-516-A, SE/S RICHLYN DRIVE 529' NE FORGE ROAD, PERRY HALL, MD 21128. 5th COUNCILMANIC DISTRICT. HEARING SCHEDULED THURSDAY, JUNE 30 1988 at 9:00 am. 84 Lines at \$46.20 was inserted in The Avenue News a weekly newspaper published in Baltimore County, Maryland once a week for successive weeks before the 10th day of June 1988 that is to say, the same was inserted in the issues of 6/9/1988

The Avenue Inc.
per publisher

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353

J. Robert Haines
Zoning Commissioner

July 1, 1988

Mr. & Mrs. Dennis E. Webb
9809 Richlyn Drive
Perry Hall, Maryland 21128

RE: PETITION FOR ZONING VARIANCE
SE/S Richlyn Drive, 529' NE of Forge Road
11th Election District; 5th Councilmanic District
Case No. 88-516-A

Dear Mr. & Mrs. Webb:

Enclosed please find the decision rendered on the above-referenced case. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 494-3391.

Very truly yours,

ANN:bjs
Enclosure
cc: People's Counsel
File

ZONING DESCRIPTION

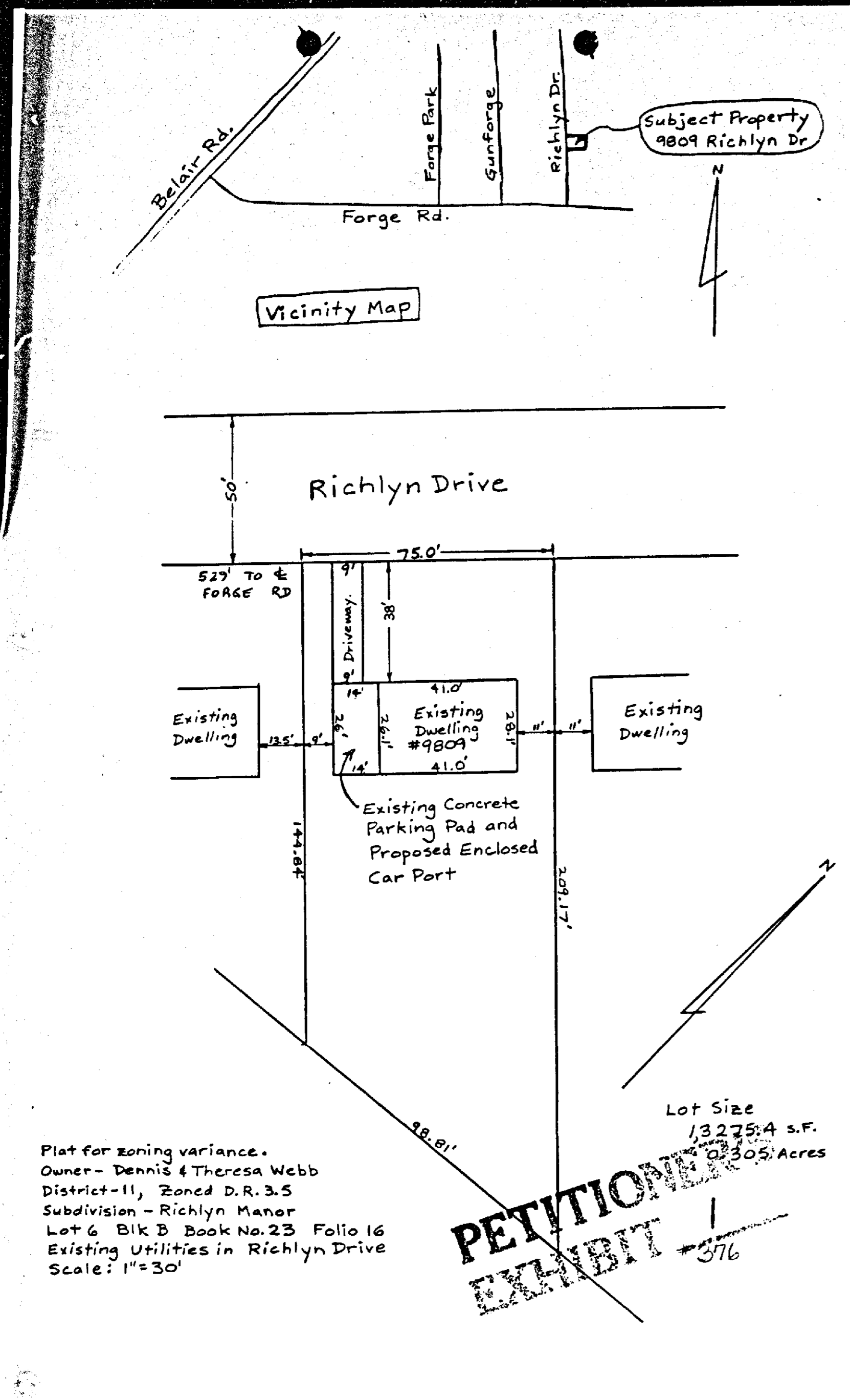
Beginning on the east side of Richlyn Drive 50 feet wide, at the distance of 529 feet north of the center line of Forge Road. Being Lot 6, Block B, in the subdivision of Richlyn Manor. Book No. 23, Folio 16. Also known as 9809 Richlyn Drive in the 11th Election District.

"DUPLICATE" CERTIFICATE OF PUBLICATION

TOWSON, MD, June 9, 1988
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on June 9, 1988.

THE JEFFERSONIAN,

S. Zeke Orlean
Publisher

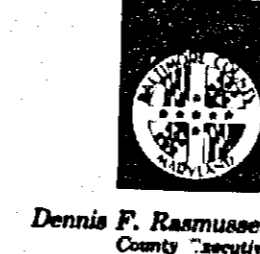


Baltimore County
Fire Department
Towson, Maryland 21204-2886
494-4500

Paul H. Reinske
Chief

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

May 12, 1988



Re: Property Owner: Dennis E. Webb, et ux
Location: SE/S Richlyn Dr., 523' NE Forge Rd.
Item No.: 376 Zoning Agenda: Meeting of 4/26/88

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

1. Fire hydrants for the referenced property are required and shall be located at intervals of _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
2. A second means of vehicle access is required for the site.
3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.
4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.
6. Site plans are approved, as drawn.
7. The Fire Prevention Bureau has no comment at this time.

REVIEWER: *[Signature]* Noted and Approved: *[Signature]*
Planning Group Fire Prevention Bureau
Special Inspection Division

/s/

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

June 6, 1988

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Mr. & Mrs. Dennis E. Webb, P.E.
9809 Richlyn Drive
Perry Hall, Maryland 21128

RE: Item No. 376 - Case No. 88-516-A
Petitioners: Dennis E. Webb, et ux
Petition for Zoning Variance

Dear Mr. & Mrs. Webb:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

[Signature]
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:dt

Enclosures

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 405
Towson, Maryland 21204
494-3554

May 19, 1988



Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Haines:

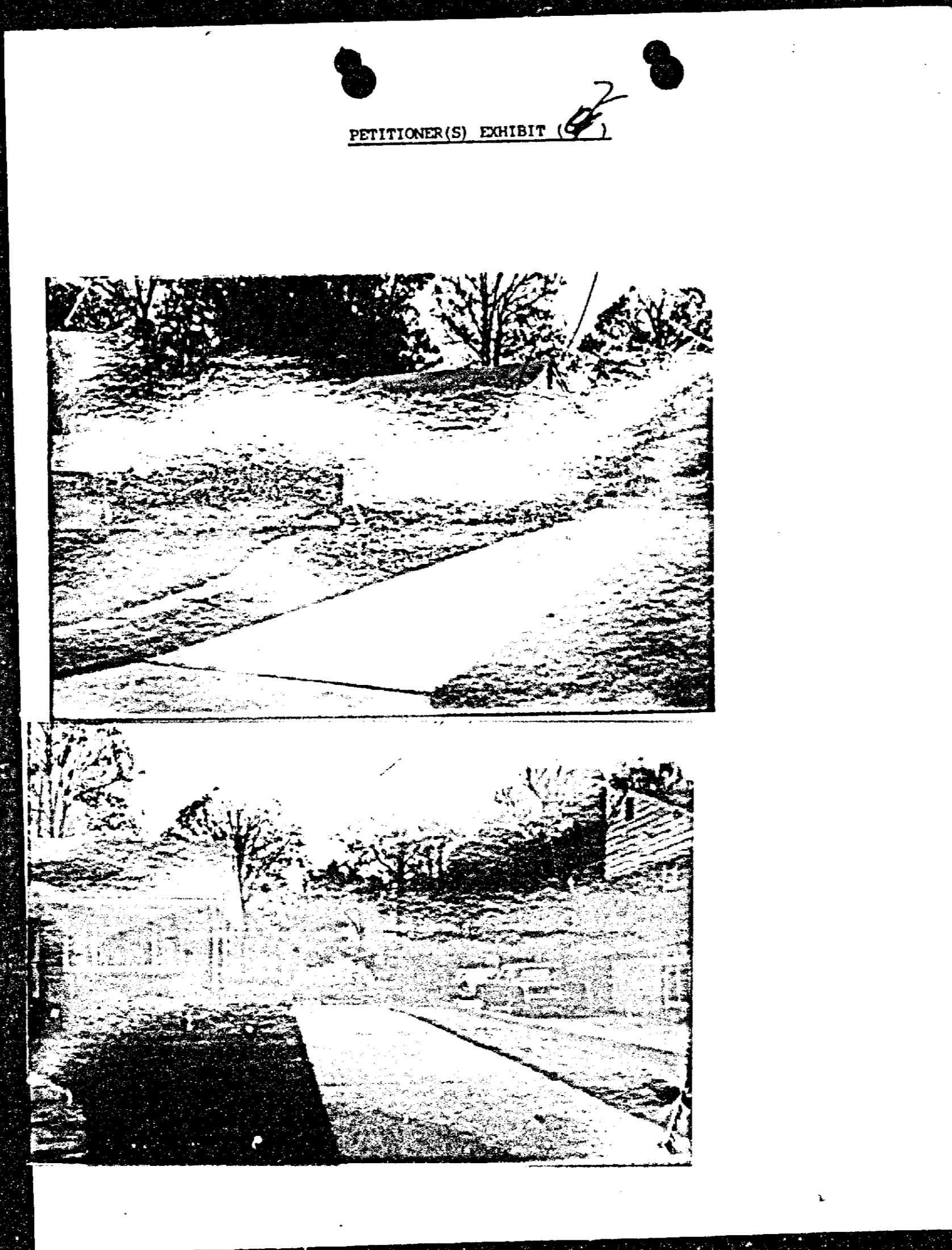
The Bureau of Traffic Engineering has no comments for items number 374, 375, 376, 377, 378 and 380.

Very truly yours,

[Signature]
Stephen E. Weber, P.E.
Assistant Traffic Engineer

SEN/RF/pml-b

RECEIVED
MAY 23 1988
ZONING OFFICE



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE RECEIVED ZONING OFFICE
DATE: 5/14/88

TO: J. Robert Haines
Zoning Commissioner

Date: May 12, 1988

FROM: P. David Fields, Director
Office of Planning and Zoning

SUBJECT: Zoning Petitions #88-502-A, 88-510-A, 88-511-A,
88-512-A, 88-513-A, 88-515-A, 88-516-A, 88-517-A,
88-518-A, and 88-519-A

There are no comprehensive planning factors requiring comment on the subject petitions.

[Signature]
P. David Fields, Director
Office of Planning and Zoning

PDF/jat
cc: Shirley Hess, People's Counsel
J. G. Hoswell
Zoning Office

cc: Mr. & Mrs. Dennis E. Webb
5/14/88

CPS-008

88-516-A
BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this
28th day of April, 1988.

[Signature]
J. Robert Haines
Zoning Commissioner

Petitioner: Dennis E. Webb, et ux
Petitioner's Attorney: _____
Received by: _____ Zoning Plans Advisory Committee